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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA, |) | CASE NO. CR 20-316 BLF |
| |) | |
| Plaintiff, |) | [PROPOSED] DETENTION ORDER |
| |) | |
| v. |) | |
| |) | |
| ANDREW STEELE FLINDERS, |) | |
| |) | |
| Defendant. |) | |

On October 5, 2020, defendant Andrew Steele Flinders was charged by Indictment with violations of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A) (Possession with Intent to Distribute 50 Grams and More of Methamphetamine Actual); 18 U.S.C. § 924(c)(1)(A) (Possession of a Firearm in Furtherance of a Drug Trafficking Crime); and 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm and Ammunition).

This matter came before the Court on October 5, 2020, for a detention hearing. The defendant was present and represented by Jay Rorty. Assistant United States Attorney Maia Perez appeared for the government. The government moved for detention, and the defendant opposed. At the hearing, counsel submitted proffers and arguments regarding detention.

Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on

1 the record, the Court finds by a preponderance of the evidence that no condition or combination of
2 conditions will reasonably assure the appearance of the person as required and clear and convincing
3 evidence that no condition or combination of conditions will reasonably assure the safety of any other
4 person or the community clear and convincing evidence that no condition or combination of conditions
5 will reasonably assure the safety of any other person or the community. Accordingly, the defendant
6 must be detained pending trial in this matter.

7 The present order supplements the Court's findings and order at the detention hearing and serves
8 as written findings of fact and a statement of reasons as required by Title 18, United States Code,
9 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the bases for its
10 conclusion: (1) the seriousness of the defendant's criminal history, which includes multi-year prison
11 sentences for three prior drug felonies, an enhancement for possessing drugs for sale while on bail or
12 recognizance, and a felony for failure to appear; (2) there is evidence that the defendant has been selling
13 drugs on social media; (3) there is evidence that the defendant is a member or affiliate of the Seven
14 Trees Crips gang; (4) the defendant's possession of two firearms, one loaded, kept in the same box with
15 a large quantity of narcotics, including nearly one kilo of heroin, a half-kilo of cocaine, 175g of actual
16 methamphetamine, and 961 fentanyl pills at the defendant's home; (5) the presence of a minor child in
17 the defendant's home and the child's potential access to certain narcotics; (6) the defendant's possession
18 of over \$30,000 in cash in his home, despite having no stable employment history; (7) the defendant's
19 possession of a storage unit where he kept three additional firearms, over 370 rounds of ammunition,
20 body armor, and multiple fake identification cards with his image and false names. These findings are
21 made without prejudice to the defendant's right to seek review of defendant's detention, or file a motion
22 for reconsideration if circumstances warrant it.

23 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

24 1. The defendant be, and hereby is, committed to the custody of the Attorney General for
25 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
26 sentences or being held in custody pending appeal;

27 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
28 and

1 3. On order of a court of the United States or on request of an attorney for the government,
2 the person in charge of the corrections facility in which the defendant is confined shall deliver the
3 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a
4 court proceeding.

5 IT IS SO ORDERED.

6
7 DATED: October 8, 2020


HONORABLE JOSEPH C. SPERO
United States Chief Magistrate Judge